

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 859
State and Local Government & Committee Substitute Adopted 6/5/12

Short Title: Pilot Mountain/Dobson Even-Year Elections.

(Local)

Sponsors:

Referred to:

May 23, 2012

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF
3 PILOT MOUNTAIN AND THE TOWN OF DOBSON ARE HELD IN
4 EVEN-NUMBERED YEARS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 3.3 of the Charter of the Town of Pilot Mountain, being
7 Chapter 28 of the Session Laws of 1971, as amended by Town Ordinance 217, adopted April
8 22, 2002, reads as rewritten:

9 "Sec. 3.3. Terms; Qualifications; Vacancies.

10 (a) The Mayor shall and members of the Board of Commissioners shall serve for terms
11 of four (4) years, beginning the day and hour of the organizational meeting following their
12 election, as established by ordinance in accordance with this Charter; provided, they shall serve
13 until their successors are elected and ~~qualify~~. qualify, provided further that (i) the Mayor
14 elected in 2011 shall serve a term of three years, but the Mayor's successors shall serve terms of
15 four years; and (ii) the members of the board of commissioners elected in 2009 and 2011 shall
16 serve terms of three years, but the member's successors shall serve terms of four years."

17 **SECTION 2.** Section 4.1 of the Charter of the Town of Pilot Mountain, being
18 Chapter 28 of the Session Laws of 1971, is rewritten to read:

19 "Sec. 4.1. Regular Elections. Elections shall be held biennially on the Tuesday after the first
20 Monday in November, beginning in 2012. In the 2014 election and quadrennially thereafter, the
21 candidate for Mayor who receives the largest number of votes cast for Mayor shall be declared
22 elected for a term of four years. In the 2012 election and quadrennially thereafter, the two
23 candidates for Commissioner who receive the largest numbers of votes cast for Commissioner
24 shall be declared elected for terms of four years. In the 2014 election and quadrennially
25 thereafter, the two candidates for Commissioner who receive the largest numbers of votes cast
26 for Commissioner shall be declared elected for terms of four years. Regular municipal elections
27 shall be held biennially in even-numbered years, but shall otherwise be conducted in
28 accordance with the general law governing municipal elections, except that absentee ballots
29 shall be available on the same schedule as for county and State officers at that election."

30 **SECTION 3.** Section 3.3 of the Charter of the Town of Dobson, being Chapter 232
31 of the Session Laws of 1975, as amended by Town Ordinance dated February 18, 2010, reads
32 as rewritten:

33 "Sec. 3.3. Terms; qualifications; vacancies.

34 (a) The members of the Board of Commissioners shall serve for terms of four years,
35 and the Mayor shall serve for a term of four years, beginning the day and hour of the
36 organizational meeting following their election, as established by ordinance in accordance with



1 this Charter; provided, they shall serve until their successors are elected and ~~qualify~~-qualify.
2 provided further that (i) the Mayor elected in 2009 shall serve a term of five years, but the
3 Mayor's successors shall serve terms of four years; and (ii) the members of the board of
4 commissioners elected in 2009 and 2011 shall serve terms of five years, but the member's
5 successors shall serve terms of four years.

6 (b) No person shall be eligible to be a candidate or to be elected as Mayor or as a
7 member of the Board of Commissioners or to serve in such capacity, unless he is a resident and
8 a qualified voter of the Town.

9 (c) In the event a vacancy occurs in the office of Mayor or Commissioner, the Board
10 shall by majority vote appoint some qualified person to fill the same for the remainder of the
11 unexpired term."

12 **SECTION 4.** Section 4.1 of the Charter of the Town of Dobson, being Chapter
13 232 of the Session Laws of 1975, reads as rewritten:

14 "Sec. 4.1. Regular Elections. Elections shall be held biennially on the Tuesday after the first
15 Monday in November, beginning in ~~2012~~-2014. In the ~~2012-2014~~ election and ~~biennially~~
16 quadrennially thereafter, the candidate for Mayor who receives the largest number of votes cast
17 for Mayor shall be declared elected for a term of ~~two~~-four years. In the ~~2012-2016~~ election and
18 quadrennially thereafter, the three candidates for Commissioner who receive the largest
19 numbers of votes cast for Commissioner shall be declared elected for terms of four years. In the
20 2014 election and quadrennially thereafter, the two candidates for Commissioner who receive
21 the largest numbers of votes cast for Commissioner shall be declared elected for terms of four
22 years. Regular municipal elections shall be held biennially in even-numbered years, but shall
23 otherwise be conducted in accordance with the general law governing municipal elections,
24 except that absentee ballots shall be available on the same schedule as for county and State
25 officers at that election."

26 **SECTION 5.** This act is effective when it becomes law.